

Remarks

In the present application, claims 1, 4-16, 32 and 85-100 are pending. Claims 1, 4-16, 32 and 85-96 are rejected. Claims 2-3, 17-31 and 33-84 have been previously canceled. Claims 97-100 have been withdrawn by the Examiner.

Amendment to the Claims

Claims 1, 4-12, 32, 85 and 87-96 are amended. Support for these clarifying amendments may be found throughout the specification; for example, page 5, lines 1-12 ("the subscriber registration at an access network may be accomplished by transmitting an access type indicator directly to or through a visited network to the home network which identifies the type of access network at which registration has occurred").

No new matter is added.

Claims 97-100 are canceled without prejudice or disclaimer.

Claim Rejection - 35 U.S.C. § 103(a)

The Examiner has rejected claims 1, 6, 9, 12-16, 85 and 87 as being unpatentable under 35 U.S.C. § 103(a) over Pepe et al. (U.S. Patent No. 5,742,668), herein Pepe, in view of Chow et al. (U.S. Patent No. 6,445,911), herein Chow; claim 4, 7 and 10 as being unpatentable under 35 U.S.C. § 103(a) over Pepe and Chow in further view of Lupien (U.S. Patent No. 5,857,153), herein Lupien; claims 5, 8 and 11 as being unpatentable under 35 U.S.C. § 103(a) over Pepe and Chow in further view of Rai et al. (U.S. Patent No. 6,377,982), herein Rai; claim 32 and 33 as being unpatentable under 35 U.S.C. § 103(a) over Pepe and Chow in further view of Hoffman (U.S. Patent No. 6,148,199), herein Hoffman; claims 86 and 88-89 as being unpatentable under 35 U.S.C. § 103(a) over Pepe and Chow in further view of Sofer et al. (U.S. Patent Publication No. 2002/0012351), herein Sofer; claims 90, 92 and 96 as being unpatentable under 35 U.S.C. § 103(a) over Bharatia et al. (U.S. Patent Publication No. 2001/0031635), herein Bharatia, in view of Chow; claims 91 and 93 as being unpatentable under 35 U.S.C. § 103(a) over Bharatia and Chow in further view of Sofer; claim 94 as being unpatentable under 35 U.S.C. § 103(a) over Bharatia and Chow in further view of Lupien; and claim 95 as being unpatentable under 35 U.S.C. § 103(a) over Bharatia and Chow in further view of Rai. The Applicant includes the following comments to clearly

distinguish the claimed invention over the art cited by the Examiner, and respectfully requests a favorable reconsideration of claims 1, 4-16, 32 and 85-96.

These rejections are respectfully disagreed with, and are traversed below.

The Examiner is respectfully reminded that, in accordance with the MPEP, the Examiner bears the initial burden of factually supporting any prima facie conclusion of obviousness. The key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. The Examiner must ascertain the differences between the claimed invention and the prior art. However, the gap between the prior art and the claimed invention may not be so great as to render the claim nonobvious (see MPEP § 2141-2142).

Regarding claim 1, which recites:

“A method, comprising:

sending, from a visited network comprising at least one server to a home network during an application level registration of a subscriber, **an identification of the subscriber and a type of access network at which the subscriber is registering;**

in response to the sending, storing in the visited network a selected subscriber profile selected from of a plurality of subscriber profiles for the subscriber, in which the selected subscriber profile comprises an authorization for an authorized level of access; and

controlling, by the visited network, access of the subscriber to services provided through the visited network dependent upon a comparison of a requested level of access and the authorized level of access in the stored selected subscriber profile” (emphasis added).

The Examiner asserts that Chow teaches “column 7 «line 61» to column 8 «line 21»: disclosing a users have authorizations to access different types of services”. However, there is no suggestion that either Pepe or Chow disclose or suggest sending “a type of access network at which the subscriber is registering” and an “identification of the subscriber” “during an application level registration of a subscriber” as in claim 1.

It is noted that while an “access network” may provide services, the type of access network and the “types of services” provided are not analogous. For example, one “access network” (e.g., a GPRS, a wireless local area network or a DSL network) may provide a

variety of services (e.g., SMS, voice, data, etc.) each of which may (or may not) require different levels of access (e.g., bandwidth, security, etc.). Clearly, disclosure of “different types of services” does not disclose or suggest a “type of access network”.

As neither Pepe nor Chow disclose or suggest “sending, from a visited network comprising at least one server to a home network during an application level registration of a subscriber, an identification of the subscriber and a type of access network at which the subscriber is registering” as in claim 1, the combination of Pepe and Chow (which the Applicants do not assert there is a motivation to so combine or that such a combination is feasible), herein Pepe-Chow, also does not disclose or suggest these elements of claim 1. As Pepe-Chow does not disclose or suggest all elements of claim 1, claim 1 is not made obvious by Pepe-Chow. For at least this reason, claim 1 is in condition for allowance.

As claims 85 and 87 recite similar language to that discussed above with reference to claim 1; claims 85 and 87 are likewise in condition for allowance. Claims 4, 6, 7, 9-10 and 13-16 depend upon claims 1 and 87. For at least this reason, they are likewise in condition for allowance.

Regarding claim 12, the Examiner asserts “Pepe as modified by Chow discloses the authorized level or type of access authorizes specific connections supplementary services [Pepe, column 7 «lines 15-25» & Chow, column 8 «lines 23-43»]”. However, it is noted that **claim 12 depends upon claim 90**. There is no suggestion that Pepe-Chow teaches elements of claim 90. Clearly, Pepe-Chow does not disclose or suggest the elements of claim 90 from which claim 12 depends. Accordingly, claim 12 overcomes a rejection based on Pepe-Chow.

Regarding claim 88, the Examiner asserts that Sofer teaches: “0052: disclosing a short code that indicates the type of access to services requested by the subscriber”. However, as seen above, the “type of access to services requested by the subscriber” is not analogous to a “type of access network”.

As seen above, Pepe-Chow does not disclose or suggest claims 1, 85 and 87. As claims 1, 85 and 87 are allowable over Pepe-Chow then all claims that depend from claims 1, 85 and 87 should also be allowable over Pepe-Chow, whether considered alone or in combination with other art cited as applied by the Examiner. Further, the addition of the disclosures of Lupien, Rai, Hoffman and/or Sofer to Pepe-Chow (without admitting that such combinations are suggested or technically feasible), would not cure the deficiencies in the disclosure of Pepe-Chow. For at least this reason, claims 5, 8, 11, 32, 86 and 88-89 are in condition for allowance.

Regarding claim 90, which recites:

“A method comprising:

in a home network comprising at least one server, storing for a given subscriber a plurality of subscriber profiles, each subscriber profile indicating a different level of access for which the given subscriber is authorized;

in response to the home network receiving from a visited network **an application level registration message identifying the given subscriber and a type of access network** at which the subscriber is registering, the home network selecting from the stored plurality of subscriber profiles a selected subscriber profile which indicates a level of access that is authorized for the given subscriber; and

sending from the home network to the visited network the selected subscriber profile” (emphasis added).

The Examiner asserts that Bharatia teaches “0077: disclosing the CSCF (which is located in the home network) processes application level registration requests |0081, 0083: disclosing receiving information **relating to the subscriber and requested services** |0112”. However, as seen above, the “information relating to... requested services” is not analogous to a “type of access network”.

As neither Bharatia nor Chow disclose or suggest “an application level registration message identifying the given subscriber and a type of access network at which the subscriber is registering” as in claim 90, the combination of Bharatia and Chow (which the Applicants do not assert there is a motivation to so combine or that such a combination is feasible), herein Bharatia-Chow, also does not disclose or suggest these elements of claim 90. As

Bharatia-Chow does not disclose or suggest all elements of claim 90, claim 90 is not made obvious by Bharatia-Chow. For at least this reason, claim 90 is in condition for allowance.

As claim 92 recites similar language to that discussed above with reference to claim 90; claim 92 is likewise in condition for allowance. Claims 94 and 96 depend upon claim 92. For at least this reason, they are likewise in condition for allowance.

As seen above, Bharatia-Chow does not disclose or suggest claims 90 and 92. As claims 90 and 92 are allowable over Bharatia-Chow then all claims that depend from claims 90 and 92 should also be allowable over Bharatia-Chow, whether considered alone or in combination with other art cited as applied by the Examiner. Further, the addition of the disclosures of Sofer, Lupien and/or Rai to Bharatia-Chow (without admitting that such combinations are suggested or technically feasible), would not cure the deficiencies in the disclosure of Bharatia-Chow. For at least this reason, claims 91, 93 and 95 are in condition for allowance.

In light of the discussion above, the Applicant respectfully asserts that a prima facie case for obviousness was not presented. As such, the Applicant respectfully requests that the Examiner reconsider and withdraw these rejections to claims 1, 4-16, 32 and 85-96.

As newly added claim 97 recites similar language to that discussed above with reference to claim 1; claim 97 is likewise in condition for allowance. Newly added claims 98-100 depend upon claim 97. For at least this reason, they are likewise in condition for allowance.

For the foregoing reasons, the Applicant believes that each and every issue raised by the Examiner has been adequately addressed and that this application is in condition for allowance. As such, early and favorable action is respectfully solicited.

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